

IAP15 Rec'd PCT/PTO 15 AUG 2006

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number
10/531,040Filing Date
April 12, 2005First Named Inventor
Joseph P. KENNEDY, JR.Art Unit
UnassignedExaminer Name
UnassignedAttorney Docket Number
GRA26 008**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Petition for Withdrawal of the Holding of Abandonment Under 37 C.F.R. 1,181(a)
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 04-1679

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Duane Morris LLP		
Signature			
Printed name	Mark C. Comtois		
Date	August 15, 2006	Reg. No.	46,285

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



ATTORNEY DOCKET NO. GRA26 008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Patent Application of Joseph P. KENNEDY, JR., et al.

Confirmation No.: 4716

Serial No.: 10/531,040

Art Unit: Unassigned

Filed: April 12, 2005

Examiner: Unassigned

Title: NETWORK OVERLAY GEO-LOCATION SYSTEM WITH SMART
ANTENNAS AND METHOD OF OPERATION

Office of Petitions

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

PETITION FOR WITHDRAWAL OF THE HOLDING OF ABANDONMENT
UNDER 37 C.F.R. § 1.181(a)

Sir:

This communication is responsive to the Notice of Abandonment for the subject application mailed August 9, 2006.

In brief, the Applicant timely filed a response to the Notification of Missing Requirements mailed September 16, 2005. The Applicant received the Notice of Abandonment mailed August 9, 2006 and files this Petition to Withdraw the Holding of Abandonment.

The facts of the instant case are as follows: The Applicant timely filed a Combined Declaration and Power of Attorney responsive to the Notification of Missing

Requirements on October 19, 2005. The Combined Declaration and Power of Attorney was accompanied by a transmittal letter, a copy of the Notice of Missing Requirements, a Form PTO-1595, an executed assignment and the requisite fees for both the response to the Notice and for recordation of the assignment (\$170.00). A true and correct copy of the documents filed on October 19, 2005 is attached as Exhibit A. These documents were filed along with a Post Card (copy attached as Exhibit B) identifying the documents. The Patent and Trademark Office's stamp dated October 19, 2005 indicates that these documents were timely received at the Office. For these reasons, Applicant respectfully submits that the abandonment of the subject application is unwarranted and requests reconsideration and withdrawal thereof. Accordingly, Applicant also respectfully requests entry of the timely filed documents.

Although it is believed that no fee is due for this Petition, the Office is hereby authorized and requested to charge any fees required for this Petition against Deposit Account No 04-1679.

If any point remains that is deemed best resolved through a telephonic conversation, the Office is hereby requested to contact the undersigned directly.

Respectfully submitted,



Mark C. Comtois	Reg. No. 46,285
Patrick C. Muldoon	Reg. No. 47,343
Patrick D. McPherson	Reg. No. 46,255
D. Joseph English	Reg. No. 42,514

DUANE MORRIS LLP
1667 K Street N.W., Suite 700
Washington, D.C. 20006-1608
Telephone: (202) 776-7800
Telecopier: (202) 776-7801

Dated: August 15, 2006

DM2\792159.1

EXHIBIT A

TRANSMITTAL LETTER TO THE UNITED STATES RECEIVING OFFICE

Express Mail mailing number:	Date of deposit: 19 October 2005
File reference no.: GRA26 008	International application no. (if known): PCT/US2003/032583
Title of the invention: NETWORK OVERLAY GEO-LOCATION SYSTEM WITH SMART ANTENNAS AND METHOD OF OPERATION	
Earliest priority date claimed (Day/Month/Year): 16 October 2002	

☐ This is a new International Application

SCREENING DISCLOSURE INFORMATION:

In order to assist in screening the accompanying international application for purposes of determining whether a license for foreign transmittal should and could be granted and for other purposes, the following information is supplied. (check as many boxes as apply):

- ☐ The invention disclosed was **not** made in the United States of America.
- ☐ There is no prior U.S. application relating to this invention.
- ☐ The following prior U.S. application(s) contain subject matter which is related to the invention disclosed in the attached international application. (NOTE: priority to these applications may or may not be claimed on the Request (form PCT/RO/101) and this listing does not constitute a claim for priority.)

application no.		filed on	
application no.		filed on	

- ☐ The present international application contains additional subject matter not found in the prior U.S. application(s) identified above. The additional subject matter is found on pages _____ and ☐ DOES NOT ALTER ☐ MIGHT BE CONSIDERED TO ALTER the general nature of the invention in a manner which would require the U.S. application to have been made available for inspection by the appropriate defense agencies under 35 U.S.C. 181 and 37 C.F.R. 5.15.

Itemized list of contents

Sheets of Request form:	Check no.:
Sheets of description (excluding sequence listing):	Return receipt postcard:
Sheets of claims:	Power of attorney:
Sheets of abstract:	Certified copy of priority document (specify):
Sheets of drawings:	Other (specify):
Sheets of sequence listing:	Transmittal Letter to US DO/EO, including executed Combined Declaration and Power of Attorney; Copy of Notice to File Missing Requirements; Form PTO-1595, including executed Assignment
Sequence listing diskette/CD:	
Tables related to sequence listing CD:	

The person signing this form is:

<input type="checkbox"/> Applicant	Mark C. Comtois
<input checked="" type="checkbox"/> Attorney/Agent (Reg. No.) 46,285	
<input type="checkbox"/> Common Representative	
Name of person signing	
Signature	

This collection of information is required by 37 CFR 1.10 and 1.412. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

TRANSMITTAL LETTER TO THE UNITED STATES RECEIVING OFFICE

Express Mail mailing number:

Date of deposit: 19 October 2005

File reference no.: GRA26 008

International application no. (if known): PCT/US2003/032583

Title of the invention: NETWORK OVERLAY GEO-LOCATION SYSTEM WITH SMART ANTENNAS AND METHOD OF OPERATION

Earliest priority date claimed (Day/Month/Year): 16 October 2002

☐ This is a new International Application**SCREENING DISCLOSURE INFORMATION:**

In order to assist in screening the accompanying international application for purposes of determining whether a license for foreign transmittal should and could be granted and for other purposes, the following information is supplied. (check as many boxes as apply):

☐ The invention disclosed was **not** made in the United States of America.☐ There is no prior U.S. application relating to this invention.

☐ The following prior U.S. application(s) contain subject matter which is related to the invention disclosed in the attached international application. (NOTE: *priority to these applications may or may not be claimed on the Request (form PCT/RO/101) and this listing does not constitute a claim for priority.*)

application no.		filed on	
application no.		filed on	

☐ The present international application contains additional subject matter not found in the prior U.S. application(s) identified above. The additional subject matter is found on pages _____ and ☐ DOES NOT ALTER ☐ MIGHT BE CONSIDERED TO ALTER the general nature of the invention in a manner which would require the U.S. application to have been made available for inspection by the appropriate defense agencies under 35 U.S.C. 181 and 37 C.F.R. 5.15.

Itemized list of contents

Sheets of Request form:	Check no.:
Sheets of description (excluding sequence listing):	Return receipt postcard:
Sheets of claims:	Power of attorney:
Sheets of abstract:	Certified copy of priority document (specify):
Sheets of drawings:	Other (specify):
Sheets of sequence listing:	Transmittal Letter to US DO/EO, including executed Combined Declaration and Power of Attorney; Copy of Notice to File Missing Requirements; Form PTO-1595, including executed Assignment
Sequence listing diskette/CD:	
Tables related to sequence listing CD:	

The person signing this form is:

☐ Applicant
☒ Attorney/Agent (Reg. No.)
46,285
☐ Common Representative

Mark C. Comtois

Name of person signing

Signature

This collection of information is required by 37 CFR 1.10 and 1.412. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER GRA26 008
INTERNATIONAL APPLICATION NO. PCT/US2003/032583	INTERNATIONAL FILING DATE 16 OCTOBER 2003	U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/531,040
PRIORITY DATE CLAIMED 16 OCTOBER 2002		
TITLE OF INVENTION NETWORK OVERLAY GEO-LOCATION SYSTEM WITH SMART ANTENNAS AND METHOD OF OPERATION		
APPLICANT(S) FOR DO/EO/US Joseph P. KENNEDY, Jr.; Thomas B. GRAVELY; Andrew Beck; John P. CARLSON		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.		
2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.		
3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.		
4. <input type="checkbox"/> The US has been elected (Article 31).		
5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 		
6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 		
7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 		
8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).		
9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).		
10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
Items 11 to 20 below concern document(s) or information included:		
11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.		
12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.		
13. <input type="checkbox"/> A preliminary amendment.		
14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.		
15. <input type="checkbox"/> A substitute specification.		
16. <input type="checkbox"/> A power of attorney and/or change of address letter.		
17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.		
18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).		
19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).		
20. <input checked="" type="checkbox"/> Other items or information: Copy of Notification of Missing Requirements		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/531,040		INTERNATIONAL APPLICATION NO. PCT/US2003/032583		ATTORNEY'S DOCKET NUMBER GRA26 008	
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21. <input type="checkbox"/> Basic national fee..... \$300				\$	
22. <input type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)..... \$100 All other situations..... \$200				\$	
23. <input type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100 International Search Report prepared and provided to the Office..... \$400 All other situations..... \$500				\$	
TOTAL OF 21, 22 and 23 =				\$	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	- 20 =	0	x \$ 50	\$	
Independent claims	- 3 =	0	x \$200	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$	
TOTAL OF ABOVE CALCULATIONS =				\$	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					
SUBTOTAL =				\$	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	\$ 130.00
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$ 40.00
TOTAL FEES ENCLOSED =				\$	170.00
				Amount to be refunded:	\$
				Amount to be charged:	\$
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>170.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. <u>04-1679</u> in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit t Account No. <u>04-1679</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>					
<p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>DUANE MORRIS LLP 1667 K Street, N.W., Suite 700 Washington, D.C. 20006 Phone: 202.776.7800 Facsimile: 202.776.7801</p>					
				SIGNATURE	
				Mark C. Comtois	
				NAME	
				46,285	
				REGISTRATION NUMBER	

COMBINED DECLARATION AND POWER OF ATTORNEY FOR UTILITY PATENT APPLICATION

As a below named inventor, I hereby declare:

that my residence, post office address and citizenship are as stated below next to my name;

that I verily believe that I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the invention which is the subject of an application entitled NETWORK OVERLAY GEO-LOCATION SYSTEM WITH SMART ANTENNAS AND METHOD OF OPERATION; said invention being described and claimed [] in the attached specification [X] in the specification of application Serial No. 10/531,040, filed April 12, 2005; that I have reviewed and understand the content of said specification including the claims; that I do not know and do not believe the said invention was ever known or used in the United States before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said application; that said invention was not in public use or on sale in the United States more than one year prior to said application; that said invention has not been patented or made the subject of an inventor's certificate issued before the date of said application in any country foreign to the United States on an application filed by me or my legal representatives or assigns more than twelve months prior to said application; that I acknowledge my duty to disclose information of which I am aware which is material to patentability as defined in 37 CFR 1.56; and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States prior to said application by me or my legal representatives or assigns, except as follows:

COUNTRY/INTERNATIONAL	APPLICATION NUMBER	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 35 U.S.C. 119/36
WIPO	PCT/US2003/032583	16 October 2002	YES <u>X</u> NO <u> </u>
			YES <u> </u> NO <u> </u>

I hereby claim the benefit under 35 U.S.C. '119(e) of any United States provisional application listed below:

U.S. Provisional Application S.N. _____ filed _____.

I hereby appoint L. Lawton Rogers, III, Reg. No. 24,302; D. Joseph English, Reg. No. 42,514; Mark C. Comtois, Reg. No. 46,285; Patrick D. McPherson, Reg. No. 46,255 to prosecute said application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and transact all business in connection with international applications directed to said invention:

Address all correspondence to: Mark C. Comtois
Duane Morris LLP
1667 K Street, N.W., Suite 700
Washington, DC 20006

Direct all telephone calls to (202) 776-7800

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

COMBINED DECLARATION AND POWER OF ATTORNEY FOR UTILITY PATENT APPLICATION

Joseph P. KENNEDY, Jr.

X

SIGNATURE

10/10/05
DATE

FULL NAME OF SOLE OR FIRST INVENTOR

Great Falls, Virginia

USA

RESIDENCE

CITIZENSHIP

11127 Elmview Place, Great Falls, Virginia 22066

POST OFFICE ADDRESS

Thomas B. GRAVELY

X

SIGNATURE

10/10/05
DATE

FULL NAME OF THIRD JOINT INVENTOR, IF ANY

Herndon, Virginia

USA

RESIDENCE

CITIZENSHIP

11693 Hanna Overlook Court, Herndon, Virginia 20170

POST OFFICE ADDRESS

Andrew BECK

X

SIGNATURE

10/10/05
DATE

FULL NAME OF THIRD JOINT INVENTOR, IF ANY

Ashburn, Virginia

USA

RESIDENCE

CITIZENSHIP

21575 Lefevre Inn Drive, Ashburn, Virginia 20148

POST OFFICE ADDRESS

John P. CARLSON

X

SIGNATURE

10/10/05
DATE

FULL NAME OF SECOND JOINT INVENTOR, IF ANY

Herndon, Virginia

USA

RESIDENCE

CITIZENSHIP

12006 Trossack Road, Herndon, Virginia 20170

POST OFFICE ADDRESS

EXHIBIT B

MComtois
GRA26 008

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/531,040	Joseph P Kennedy	GRA26 008

Mark C Comtois
 DUANE MORRIS
 Suite 700
 1667 K Street NW
 Washington, DC 20006

INTERNATIONAL APPLICATION NO.	
PCT/US03/32578	
LA. FILING DATE	PRIORITY DATE
10/16/2003	10/16/2002

CONFIRMATION NO. 4716

371 FORMALITIES LETTER



OC000000017031560

Date Mailed: 09/16/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/12/2005
- Copy of the International Search Report filed on 04/12/2005
- Copy of IPE Report filed on 04/12/2005
- U.S. Basic National Fees filed on 04/12/2005
- Priority Documents filed on 04/12/2005

RECEIVED
 DUANE MORRIS, LLP
 SEP 22 2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

DOCKETED
 Pm 9/23

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION,

WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/531,040	PCT/US03/32578	GRA26 008

FORM PCT/DO/EO/905 (371 Formalities Notice)



REGISTRATION FORM COVER SHEET
PATENTS ONLY

To the Director of the U.S. Patent and Trademark Office: Please record the attached documents or the new address(es) below.

1. Name of conveying party(ies)/Execution Date(s):

Joseph P. KENNEDY, Jr.;
Thoms B. GRAVELY; Andrew BECK
and John P. CARLSON

Execution Date(s) October 10, 2005

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Government Interest Assignment
☐ Executive Order 9424, Confirmatory License
☐ Other _____

2. Name and address of receiving party(ies)

Name: ANDREW CORPORATION

Internal Address: _____

Street Address: 19700 Janelia Farm Boulevard

City: Ashburn

State: Virginia

Country: USA Zip: 20147

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application or patent number(s):

☐ This document is being filed together with a new application.

A. Patent Application No.(s)

10/531,040

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address to whom correspondence concerning document should be mailed:

Name: Mark C. Comtois

Internal Address: DUANE MORRIS LLP

Street Address: 1667 K Street, N.W., Suite 700

City: Washington

State: D.C. Zip: 20006

Phone Number: 202.776.7800

Fax Number: 202.776.7801

Email Address: _____

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 1.21(h) & 3.41) \$40.00

- ☐ Authorized to be charged by credit card
☐ Authorized to be charged to deposit account
☒ Enclosed
☐ None required (government interest not affecting title)

8. Payment Information

a. Credit Card Last 4 Numbers _____
Expiration Date _____

b. Deposit Account Number 04-1679

Authorized User Name _____

9. Signature:

October 19, 2005

Signature

Date

Mark C. Comtois, Registration No. 46,285

Name of Person Signing

Total number of pages including cover sheet, attachments, and documents: 3

ASSIGNMENT

(1-4) Insert Name(s) of Inventor(s) Joseph P. KENNEDY, Jr.
Thomas B. GRAVELY
Andrew BECK
John P. CARLSON

In consideration of the sum of one dollar (\$1.00) and other good and valuable considerations, the receipt of which is acknowledged by each of the undersigned, the undersigned agree(s) to assign, and hereby do(es) assign, transfer and set over to

(5) Insert name of Assignee (5) Andrew Corporation.

(6) Insert address of Assignee (6) 19700 Janelia Farm Boulevard
Ashburn, Virginia 20147

and its successors, legal representatives and assigns (hereinafter designated as the Assignee) the entire right, title and interest in the invention disclosed and/or claimed in the United States application identified below, as well as all applications for patent and any Letters Patent which may be granted therefore in the United States of America and all foreign countries, and in and to any and all divisions, continuations, continuations-in-part of said applications, or re-issues or extensions of said patents or Letters Patent, and all rights under the International Convention for the Protection of Industrial Property:

(7) Insert Identification of (7) NETWORK OVERLAY GEO-LOCATION
SYSTEM WITH SMART ANTENNAS AND
METHOD OF OPERATION

Docket Number, or Foreign Docket No. GRA26 008

Application Number

(8) Insert date of signing of (8) _____
application

(9) Alternative identification (9) Application Number: 10/531,040
for filed applications Filed: April 12, 2005

The undersigned further agree(s) to cooperate with the Assignee in every way possible and to do all affirmative acts, and to execute all papers which counsel for Assignee shall advise are necessary and/or desirable without charge to Assignee in connection with said applications including, without limitation, the execution of separate assignments in connection with such applications, claims or provisions of the International Convention for Protection of Industrial Property or similar agreements.

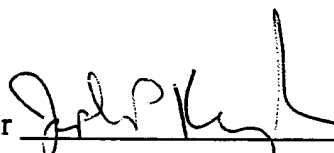
The undersigned hereby authorize(s) and request(s) the Commissioner of Patents to issue any and all Letters Patent of the United States resulting from said application or any division or divisions or continuing applications thereof to said Assignee, as Assignee of the entire interest, and hereby covenants that he/she has (they have) full right to convey the entire interest herein assigned, and that he/she has (they have) not executed and will not execute, any agreement in conflict herewith.

The undersigned hereby grant(s) to Mark C. Comtois, Reg. No. 46,285; L. Lawton Rogers, III, Reg. No. 24,302; D. Joseph English, Reg. No. 42,514; and Patrick D. McPherson, Reg. No. 46,255 the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent Office for recordation of this document.

In witness whereof, executed by the undersigned on the date(s) opposite the undersigned name(s).

Date 10/10/05

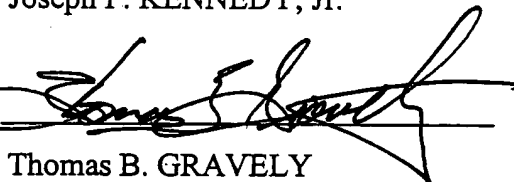
Signature of Inventor



Joseph P. KENNEDY, Jr.

Date 10/10/05

Signature of Inventor



Thomas B. GRAVELY

Date 10/10/05

Signature of Inventor



Andrew BECK

Date 10/10/05

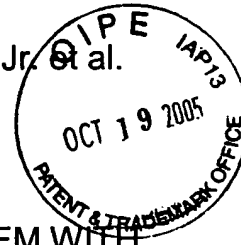
Signature of Inventor



John P. CARLSON



In re National Stage Appln. of: Joseph P. KENNEL, Jr. et al.
International Application No.: PCT/US2003/032583
U.S. Application No.: 10/531,040
Filed: April 12, 2005



Title: NETWORK OVERLAY GEO-LOCATION SYSTEM WITH
SMART ANTENNAS AND METHOD OF OPERATION

Papers Enclosed: TRANSMITTAL LETTER (in duplicate);
TRANSMITTAL LETTER TO US DO/EO, including executed
COMBINED DECLARATION/POWER OF ATTORNEY; COPY OF
FORM TO BE RETURNED WITH RESPONSE; FORM PTO-1595,
including executed ASSIGNMENT and a CHECK in the amount of
\$170.00 for the above-referenced application

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